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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DIRECTV, INC., a California corporation,
Plaintiff,
vs.
PAUL TAN,
Defendant.

CASE NO. CV-04-3819 EDL

Hon. Elizabeth D. Laporte

**REQUEST FOR VOLUNTARY DISMISSAL
OF DEFENDANT PAUL TAN; [PROPOSED]
ORDER THEREON**

Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff DIRECTV, Inc. ("DIRECTV") hereby respectfully requests that the Court enter an Order dismissing the above-captioned action with prejudice as to Defendant PAUL TAN ("Defendant"). This request is made on the grounds that Defendant and DIRECTV have entered into an agreement settling this matter. Pursuant to the terms of that agreement, DIRECTV agreed to voluntarily dismiss this action against Defendant, each party to bear its own attorneys' fees and costs incurred in this action to date.

Defendant answered the Complaint on or about October 20, 2004. DIRECTV, therefore, cannot unilaterally voluntarily dismiss this action against Defendant absent a Court order. Fed. R. Civ. P. 41(a). Accordingly, DIRECTV respectfully requests the entry of such an order dismissing Defendant with prejudice.

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Defendant PAUL TAN is the last remaining active Defendant in this action. This entire action as to all remaining claims is therefore terminated in full.

DATED: May 25, 2005

Respectfully Submitted,

BUCHALTER, NEMER, FIELDS & YOUNGER
A Professional Corporation

By: /s/Sandeep J. Shah
Sandeep J. Shah
Attorneys for Plaintiff DIRECTV, Inc.

ORDER

Having read the foregoing Request for Voluntary Dismissal of Defendant PAUL TAN filed by Plaintiff DIRECTV, Inc., and such other pleadings and papers deemed appropriate by the Court, and GOOD CAUSE appearing therefore, the Court ORDERS as follows:

1. This action is hereby dismissed with prejudice as against Defendant PAUL TAN;
2. Each party shall bear its own attorney's fees and costs incurred in this action to date; and
3. As Defendant TAN is the last remaining active Defendant in this action, this entire action as to all remaining claims is hereby terminated in full.

DATED: May 27, 2005


Honorable Elizabeth D. Laporte
United States District Court
Northern District of California